

GUIDE FOR FOUNDATION GOVERNORS IN CHURCH IN WALES SCHOOLS



DIOCESE OF ST DAVIDS

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From the Director of Education

Dear Colleague,

Thank you for offering your time, energy, expertise and enthusiasm to undertake the role of Foundation Governor in one of our Church Schools here in the Diocese of St Davids..

The Governing Body is a corporate body that has legal responsibility for the governance of the school. All members of the Governing Body, regardless of category, share this responsibility. The role of Foundation Governor, however, has a particular importance, as they have a remit to represent the Church in Wales and the Diocese of St Davids as a stakeholder in the life of the school. This booklet outlines the nature and main responsibilities of the role, together with some useful information and resources. It is not exhaustive; if you require further information, please get in touch with the Diocesan Education Team (see appendix 2 for contact details). Nor is it prescriptive; every school is unique, and the values and principles of governance must be managed by each Governing Body in their own particular situation.

Our schools rely on the goodwill and kindness of people like yourself, undertaking what is a demanding and responsible role in a voluntary capacity. The Diocesan Education Team will support you with training and advice where necessary. Together we can ensure that pupils attending our schools can enjoy a fruitful, challenging and inspirational journey through their educational years, growing and maturing as responsible and thoughtful citizens. Your role as a Governor is to challenge your school to be the best it can be, enabling each pupil to fully realise their own, unique, God-given potential. We hope your time as a Governor is personally fulfilling and rewarding, knowing that you are sharing in the great commission to “teach all nations” (Mt 28:19).

We look forward to working in partnership with you the coming months and years.

With every blessing,

J R Cecil

Revd John R Cecil
Diocesan Director of Education

1. What are Church schools?

The Anglican Church's commitment to the provision of education extends over many centuries. It was most powerfully evident in its drive for the mass provision of Christian education for the poor in the early and middle years of the nineteenth century. Its principal instrument was the National Society, created in 1811.

By the time of the national census of 1851, the Anglican Church had established 17,000 schools throughout the United Kingdom. State provision for public education did not come until the Education Act of 1870, and it operated by supplementing rather than replacing voluntary provision. This Act was a significant moment in the development of the practice of partnership between the state and the churches in education, and one from which we believe society has greatly benefited.

By 1900 the voluntary sector numbered over 14,000 schools of which rather more than 1,000 were Roman Catholic, with a further similar number provided by the Wesleyans and others. At the time of the outbreak of the Second World War, after seventy years of state provision, the voluntary sector, i.e. the churches, were together still providing schooling for nearly a third of the children of school age.

However, the Church had lacked the capital to match the quality of premises and equipment of State schools, and the quality of education was suffering. The Education Act of 1944 provided a new context in which Church schools were offered the option of increased State funding and control as 'Voluntary Controlled schools' or lesser State support and greater independence as 'Voluntary Aided schools'. At the same time, the 1944 Act required all schools to have a daily act of collective worship and religious instruction. The 1944 Act was a significant turning point in the history of Church schools.

Over the past decade successive Education Acts, in their pursuit of more local accountability and their desire to engage with voluntary providers, have given opportunities for these groups, (including the Church) to re-engage with education, providing services and opening schools.

The historic vision of the Church in Wales to provide education for all has thrived in this context. The Church in Wales, unlike many other 'faith' groups, does not seek to educate within the tenets of a particular faith but to engage with all. Whilst seeking to serve all in offering a broad balanced curriculum it is also rooted in a firm belief that each person has spiritual needs that should be developed just like other skills and gifts. Thus the Church in Wales, perhaps uniquely among 'faith' education providers, balances the concepts of the service of all with opportunities to nurture the spirituality of those who wish to develop this area of their lives.

2. What is a School Governor?

Governing Bodies are the strategic leaders of our schools, with the legally recognised purpose of “conducting the school with a view to promoting high standards of educational achievement at the school”. People join the Governing Body in one of six possible categories:

- Foundation Governors
- Parent Governors
- LEA Governors
- Staff Governors
- Community Governors
- Co -Opted Governors

People can join the Governing Body either through election (e.g. Parent Governors, elected by parents of children currently on roll at the school) or by nomination and appointment by the relevant Authority.

In the Diocese of St Davids we have two types of Foundation Governor:

- The ex-officio governor – normally the cleric who has care of the pastoral area covered by the school catchment (unless a substitute has been nominated and agreed by the Diocesan Director of Education)
- Foundation Governors appointed by the Diocesan Director of Education (on behalf of the Directorate of Education) following nomination from the relevant LMA council (LMAC) or Church Committee. (The Directorate of Education reserves the right to appoint a Diocesan Foundation Governor for Ysgol Penrhyn Dewi VA)

The constitution of the Governing Body, and the ways people can be appointed or elected, is laid down in the school’s *Instrument of Government*. In Church schools the Instrument will contain an *ethos statement*, laying out the main purposes of the school. All the school policies should take the ethos statement as their starting point. The National Society issued a model ethos statement for all Church in Wales schools, which was adopted universally. This is found on every school’s Instrument of Government as required by the Government of Maintained Schools Wales Regulations 2005. It reads:

“Recognising its historic foundation (and in accordance with its trust deed), the school will preserve and develop its religious character in accordance with the principles of the Church of Wales and in partnership with the Church at Parish and Diocesan level.

The school aims to service its community by providing an education of the highest quality within the context of Christian belief and practice. It encourages an understanding of the meaning and significance of faith, and promotes Christian values through the experience it offers to all its pupils.”

While the whole governing body has agreed to this ethos statement, it is the Foundation Governors who have a particular responsibility to ensure that it is reflected in all aspects of school governance and life, and is the starting point of all school policies.

Why me?

The primary consideration in the appointment and election of new governors should be the skills and experience they can bring in order to make the Governing Body more effective. In-depth knowledge of financial matters, ability to analyse performance data, experience of teaching and learning in different environments,

there are many gifts and talents that people can bring to the table in order to improve the efficiency and capability of the Governing Body.

As a Foundation Governor, you have the remit of representing the interests of the Church in Wales in all aspects of the Governing Body's work. When considering who to nominate for the post of Foundation Governor, consideration should be given to whether the candidate will uphold the ethos and Christian character of the school. There are no hard and fast rules or selection criteria, however, candidates must have integrity, honesty and be willing to support and uphold the work of the school as a Church school, providing an excellent experience of education within the context of Christian values.

It is preferable where possible for Foundation Governors to be rooted in or have a close affinity with the worshipping community linked to the school.

What is expected of me?

In all types of school, the Governing Body should have a strong focus on three core strategic functions:

- Ensuring clarity of vision, ethos and strategic direction;
- Holding the headteacher to account for the educational performance of the school and its pupils, and the performance management of staff; and
- Overseeing the financial performance of the school, and making sure its money is well spent.

As well as this, Foundation Governors have a special responsibility, namely to ensure that:

- The guiding principles of the founding church are incorporated into all aspects of the governance of the school, and that
- The terms of the *Trust Deed* governing the school are adhered to.

What is a Trust Deed?

Every Church in Wales school must have a Trust Deed¹, which stipulates the principles and legal conditions under which the institution was established and should be run. It is advisable for all schools to have a copy of their Trust Deed².

At the majority of Church in Wales's schools the Trust Deed will dictate that the buildings are used for Educational Purposes only, with a clause specifying use by the local Church on particular days or occasions³.

There are specific situations and occasions when the Trust Deed becomes particularly important. These are:

- **Inspections:** For ESTYN section 28 inspections and GWELLA section 50 inspections.
- **Admissions:** This is for VA schools. When defining their admissions policy, and in particular the terms of oversubscription criteria priorities, conditions stipulated in the Trust Deed are legally binding and supersede all other legislation.

1

Traditionally the trustees of the local church school were the vicar and the church wardens. With changes in local church structure and a reduced number of clergy both nationally and locally, the Charity Commission has increasingly favoured the appointment of the Diocesan Board of Finance as the Trustee, as this is a permanent and incorporated body, thus ensuring clear continuity.

2

Some are held by the Diocese, and some (which are no longer traceable locally) are available from the National Archives at Kew. The Diocese can give details of how to access these and the cost involved (usually around £80-£100).

3

There are many exceptions and anomalies, so it is always best to seek professional advice on this.

- **Extended school activities** – specifically if the school is proposing to bring third parties onto the school site to deliver extended school services⁴.
- **Reconstituting the Governing Body** in the light of inspection recommendations or legislative changes.
- Consideration of **collaboration, federation or amalgamation** - as part of school re-organisation and the pressures of falling numbers on roll.
- School **transfer** to a new site.
- Consideration of school **closure**.

4

This relates back to the terms of the Trust Deed in relation to the use of the school buildings, as any agreement made which breaches the terms of the Trust Deed would be invalid. It is essential therefore to consult the Diocese at the earliest opportunity when considering such changes. There are ways of overcoming issues, but it is best to leave sufficient time in case the Charity Commission has to be consulted.

3. **What does the Governing Body actually do?**

Good governance in a Church school requires the corporate understanding and support for the distinctively Christian ethos of the school, and how this underpins and informs every area of activity and every policy. It is important that all Church school governors understand the policies on RE, collective worship, spiritual development and that they understand the importance of the school's foundation and ethos.

The three main elements of School Governance are

- Strategic Overview
- Critical Friend
- Accountability

The Governing Body is a corporate body that has responsibility for the governance of the school. All members of the governing body, regardless of what category of governor they fall into, have a duty to undertake these three core elements of governance. The role of the Foundation Governor has particular importance, however, for they also have a remit as representative of the Founding Church and of the Trustees.

Foundation Governors must bear in mind the principles of the Church in Wales, the Trust Deed and the Ethos Statement of the school in relation to all three core elements of governance.

Strategic Overview

It is the responsibility of the Foundation Governors to ensure that the foundation of the school is sustained and developed. They have a vital role to play in the development of the School Improvement Plan, which now looks at all aspects of school development over a 5 year period. This should include all aspects of the school, underpinned by the ethos statement. Evidence continues to support the view that schools with a strong ethos perform better, both academically and in a broader context of well-being, than those that do not.

Whether the Governing Body is considering the work/life balance of the headteacher, the asset management plan relating to the school buildings, or the setting of targets for pupil progress and achievement, it is the role of the Foundation Governor to put it within the context of the Christian foundation of the school.

The Foundation Governor also has a role to play in deepening and strengthening the school's strategic relationship with both the local and diocesan church community.

What does it look like?

What has changed for governing bodies reflects the changes in our wider society – the increased means and speed of communication, changes in local and regional demographics, the plethora of government initiatives and edicts, the rise of parent power and the value of pupil voice. What this means in effect for schools is that they can no longer operate in isolation from each other, or from the communities which they serve.

What must Governing Bodies do in the 21st century to ensure that they are fulfilling their strategic role? The key question that they should keep in mind is: "How will our action and decisions improve the education and opportunities for the children and young people in our care?"

As part of the modern approach to education, they now also need to ask how their actions will:

- Sustain their school into the future

- Work in partnership with the local church
- Help to ensure succession planning
- Benefit the wider community
- Contribute to community cohesion
- Meet the extended services agenda
- Ensure parental satisfaction
- Meet the green agenda

In the case of church schools, Governing Bodies should also look at how they can support and work with other church schools within their local area.

There is training and guidance available for Governing Bodies on how to fulfil this complex agenda. Many of these issues are interwoven, and by working on one, you will simultaneously be ticking off many of the requirements for others – you can reflect this in your School Development Plan.

Critical Friend

School governors should act as critical friends towards those with professional responsibilities in the school, bearing in mind the Governing Body's own responsibility to promote high standards of educational achievement. It is a strategic role: governors are not involved in the day-to-day running of the school.

How does it work at a church school?

The relationship between the Governing Body and the headteacher is important in achieving good leadership and management, and this is a question of balance. In their role as "critical friend" Governing Bodies should not be passive and unquestioning when they receive reports from the head, but nor should they be seeking to interfere in the day-to-day running of the school. The Christian principles enshrined in the ethos statement of the school, and the founding principles set out in the trust deed, can act as good benchmarks for the type of questions that governors should be asking, and indeed for how those questions are put.

The Christian ethos of the school should run like a thread through every element of school life, so the first questions for governors when looking at any policy are: "Is our ethos showing?", and "If it isn't, then how can we make changes to ensure that it does?" It really should be a question for every policy and every event, not just those relating directly to RE or to collective worship.

To model the distinctively Christian nature of the school in every area of school life is something which all governors sign up to corporately when they take on the role of governor at a church school. The way in which people interact with each other is the cornerstone on which everything else is built. Trust, mutual respect and Christian understanding should underpin conversations, discussions and debates, to enable constructive discussion without risk of upset or offence. Governors should be asking questions like:

- 'Why are we doing this?'
- 'Why are we doing it like this?'
- 'Is this reflecting that we are a church school?'
- 'How does this fit into our school development plan?'
- 'Are we being distinctively Christian in how we do/handle this?'

Governors should not seek to question the professional judgement of the head or staff on matters of teaching and learning, but they should be assessing the effectiveness in achieving the targets in the school development plan. At a church school, they should be asking whether those targets are being achieved within the Christian context and ethos of the school, whether those values of understanding,

compassion and nurture are at the forefront of the work, or if they are being undermined by the pressures to perform.

Accountability

Foundation Governors add an extra dimension of accountability in relation to the foundation of the school, the Trust Deed and the ethos statement. In practical terms this can have a wide range of applications, perhaps the most obvious of which is in relation to the premises of the school, of which the governing body are effectively stewards for future generations. Many of our church schools were founded in the nineteenth century and have seen enormous changes. The speed of change today is breath-taking, and governors at church schools have to be mindful both of the legacy from the past, and of the legacy that their decisions will bequeath to future generations. It is a weight of responsibility but also an enormous privilege and opportunity to shape the future for the children and the community you serve, for it is to past, present and future generations of children and families that we will all ultimately be accountable.

All governors have to take responsibility for the school budget and for seeing that it is wisely and properly spent. This is a task which impacts on every facet of school life and it is a legal duty to ensure that it is correctly done. But it is much more than simply a question of ensuring that the books balance. The purpose of the funding allocated to schools, be it revenue or capital, is ultimately to ensure that every child at the school receives the best possible education and fulfils their potential.

It is often said that the single most important job that a Governing Body will ever have to do is to appoint a headteacher and at a church school, whether voluntary controlled or voluntary aided, this involves an additional aspect. There is legislation enabling governors to specify, if they so decide, the requirement for a Christian faith criterion in headteacher (and some other staff) appointments. The Diocese certainly regards headteachers as spiritual leaders within their school, and, working with their governors and parish partners, in the wider community served by their school. The Diocesan Education Team are always available to support governors through the headship appointment process to ensure that this vital and unique aspect, so critical to the Christian distinctiveness of the school, is not submerged in the deluge of other considerations. The Diocese has the same advisory rights as the Local Authority, and should have a representative present in the discussions.

The Section 50, or “Gwella” inspection

The Section 50 inspection, apart from being a legal requirement, is a real opportunity to showcase itself as a Church school. Conducted alongside the statutory Estyn inspection of standards and provision, the Gwella inspection examines how well the school is performing as a church school, providing high-quality education within the clear context of Christian beliefs and values.

The inspection is carried out by a person trained to the National Society standard, someone with experience and understanding of teaching and leadership in a Church School setting. It is the Governors’ responsibility to appoint the inspector. The Diocesan Education Team maintains a list of suitable candidates and are happy to advise on selection.

A Section 50 inspection focusses on three aspects of school life in a voluntary controlled school, and on four in a voluntary aided school. These are:

- Christian Character and Ethos
- Collective Worship
- Leadership and Management; as with Estyn, the role, involvement and efficiency of the Governing Body are examined

And, in voluntary aided schools

- Religious Education

For all of these core questions, the inspection looks at how each element contributes to the academic and pastoral educational experience of the pupils.

As a governor, you may be asked to meet directly with the inspector during the day to share your experiences with him or her, as part of the inspection of Leadership and Management.

Your headteacher might ask you to help compose the schools Self-Evaluation Report for the Section 50. This should be an ongoing part of school life, gathering evidence to support evaluative judgements. (It is much easier and less stressful to maintain a rolling bank of evidence, rather than try to find it all in the last few weeks before inspection!) Documents such as minutes of Governing Body meetings can prove useful sources of evidence, and therefore should be carefully maintained and thoroughly checked.

The whole governing body work together as a team with a shared vision for the school. Foundation governors have a particular responsibility to ensure that the mission statement clearly sets out the aim to place the gospel and the teaching of Jesus at the heart of the school's values, work and relationships. This will encourage the provision of a quality of education which is underpinned by a concern for the spiritual and moral dimensions, raising standards of achievement in teaching and learning through high expectations and through recognising and valuing each individual's success. We are here to support and enable you in the role, you can contact the Diocesan Office at any time for information and advice. Our contact details can be found in appendix 2.

Appendix 1: Differences between categories of Church schools

	Voluntary Aided schools	Voluntary Controlled schools	Foundation schools
Buildings	Owned by trustees: The trust deed determines the basis on which the school is run. New building and repairs are the responsibility of the governors (supported by grant from the WG up to 85% of approval expenditure). Playing fields are provided by the LA.	Owned by trustees. The trust deed determines how the school shall be run where the law does not make this clear. All replacement, repairs and other building costs fall on the LA. Playing fields are provided by the LA.	Owned by trustees. The trust deed determines the basis on which the school shall be run where the law is silent. Playing fields owned by governors. All building works funded from LA.
Staff (a) Teaching	Employed by the governors, paid by the LA. Governors may seek evidence of Christian commitment from applications for teaching posts.	Appointed by the governors, employed and paid by the LA. Governors are bound by LA appointing policies. Governors may seek evidence of Christian commitment from applications for teaching posts.	Employed by the governors, paid by the LA. Governors will be able to select teachers within the LA policy. Governors are bound by LA appointing policies. Governors may seek evidence of Christian commitment from applications for teaching posts.
Staff (b) support	Employed by Governors, paid by LA.	Employed and paid by LA.	Employed by governors, paid by LA.
Worship	Distinctively Christian; reflects the Anglican	Distinctively Christian; reflects the Anglican	Distinctively Christian; reflects the Anglican

	tradition and can include worship in the parish church.	tradition and can include worship in the parish church.	tradition and can include worship in the parish church.
Religious Education	The School uses the Church in Wales (“denominational”) syllabus that reflects the Anglican traditions.	The school must follow the LA syllabus unless the parents request a denominational one. The Foundation Governors have rights in the appointment of staff (called reserved teachers) to teach denominational RE.	The school must follow the LA syllabus unless the parents request a denominational one. The Foundation Governors have rights in the appointment of staff (called reserved teachers) to teach denominational RE.
Membership of the Governing body	Foundation Governors have an absolute majority over all other governors. Parish priest is usually <i>ex officio</i> a member of the governing body. All governors combine to elect the Chair. A proportion of foundation governors must also be parents.	Foundation Governors are in a minority. The parish priest is usually <i>ex officio</i> a member of the governing body. All governors combine to elect the Chair.	Foundation Governors are in a minority. The parish priest is usually <i>ex officio</i> a member of the governing body. All governors combine to elect the Chair.
Funding	85% capital funding direct from WG. Governors must raise remaining 15%.	LA LMS formula.	LA LMS formula
Admissions	Governors determine the policy and make the decisions in accordance with	The LA is responsible for admissions, but must consult the governing body each year.	Governors determine the policy and make the decisions in accordance with

	the requirements of the Admissions Code. They must consult the LA and all other admission authorities in the area each year.		the requirements of the Admissions Code. They must consult the LA and all other admission authorities in the area each year.
Advice	LA Director of Children's Services has certain rights to attend governor meetings to give advice. Diocesan Directors of Education have parallel rights.	LA Director of Children's Services has certain rights to attend governor meetings to give advice. Diocesan Directors of Education have parallel rights.	LA Director of Children's Services has certain rights to attend governor meetings to give advice. Diocesan Directors of Education have parallel rights.
Inspection	ESTYN inspectors scrutinize school's self- evaluation. GWELLA (Section 50) inspectors inspect Church School Distinctiveness, including leadership, RE, worship, spiritual and moral development and school ethos.	ESTYN inspectors scrutinize school's self- evaluation. GWELLA (Section 50) inspectors inspect Church School Distinctiveness, including leadership, worship, spiritual and moral development (esp. in RE) and school ethos.	ESTYN inspectors scrutinize school's self- evaluation. GWELLA (Section 50) inspectors inspect Church School Distinctiveness, including leadership, worship, spiritual and moral development (esp. in RE) and school ethos.

Appendix 2: Useful contact information

Chairman of the St Davids Directorate for (statutory) Educational
Ven Paul R Mackness Tel: 07713 576373
archdeacon.stdavids@churchinwales.org.uk

Diocesan Director of Education
Revd Johh R Cecil Tel: 01646 692974
revjohncecil@btinternet.com

School's Officer
Revd Delyth Richards Tel: 07794 343255
RevDel@outlook.com

Appendix 3: Services and support

a) Useful websites

The St Davids Diocese website has a Church Schools page that is regularly updated with useful information.

www.churchschoolscymru.org.uk

A website for Church schools in Wales, giving details of news and resources.

b) Governor appointments and reappointments

All enquiries regarding current or future Church Foundation Governors (not Local Authority or elected Parent Governors) should be made to the relevant Governor Support Services at either Pembrokeshire County Council, Carmarthenshire County Council or Ceredigion County Council.

c) Diocesan training for Governors – details can be found by contacting the Diocesan Director of Education